

In The Matter Of:
United States vs.
PFC Bradley E. Manning

Vol. 26
August 1, 2013
UNOFFICIAL DRAFT - 8/1/13 Morninng Session

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VOLUME XXVI
IN THE UNITED STATES ARMY

UNITED STATES
VS.
MANNING, Bradley E., Pfc. COURT-MARTIAL
U.S. Army, xxx-xx-9504
Headquarters and Headquarters Company,
U.S. Army Garrison,
Joint Base Myer-Henderson Hall,
Fort Myer, VA 22211
_____ /

The Hearing in the above-titled matter was
held on Thursday, August 1, 2013, at 10:00 a.m.,
at Fort Meade, Maryland, before the Honorable Colonel
Denise Lind, Judge.

DISCLAIMER

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1 **APPEARANCES:**

2
3 **ON BEHALF OF GOVERNMENT:**

4 MAJOR ASHDEN FEIN

5 CAPTAIN JOSEPH MORROW

6 CAPTAIN ANGEL OVERGAARD

7 CAPTAIN HUNTER WHYTE

8 CAPTAIN ALEXANDER van ELLEN

9
10 **ON BEHALF OF ACCUSED:**

11 DAVID COOMBS

12 CAPTAIN JOSHUA TOOMAN

13 MAJOR THOMAS HURLEY

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August 1, 2013

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1 PROCEEDINGS,

2 THE COURT: Court is called to order. Mr.
3 Fein, account for the parties.

4 MR. FEIN: Yes, Ma'am. All parties when
5 Court last recessed are again present, including
6 Captain Overgaard is present.

7 Also, Your Honor, this session is
8 unclassified. Yesterday at the close of the session
9 the security, Court Security Officer completed his
10 checklist for opening the session and now we follow the
11 post trial allied papers.

12 Also, Your Honor, as of 9:55 this morning
13 there are ten members of the media in the Media
14 Operation Center, one stenographer, no media in the
15 courtroom, eight spectators in the courtroom. And
16 although there are no spectators in the overflow
17 trailer, it is available all day.

18 THE COURT: All right. For the record, we
19 had one additional filing by the Defense last night.
20 As we discussed yesterday -- well, it was created last
21 night. Filed this morning. A motion for appropriate

1 relief under RCM 1001B4. And that is Appellate Exhibit
2 629.

3 And I note for the record that the Defense
4 is basically objecting to some of the testimony of
5 yesterday's witnesses in three categories; chain of
6 events testimony, could cause damage testimony, and
7 monetary expense and use of resources testimony.

8 The Government will be filing a response
9 tonight, is that correct, Major Fein?

10 MR. FEIN: Yes, ma'am.

11 THE COURT: Now the parties and I discussed
12 this issue this morning in an RCM 802 conference
13 briefly. Once again, that's a conference where I
14 discuss scheduling and other issues, logistics and
15 other issues that are going to arise in cases.

16 And what we agreed to do is, some of this
17 testimony may come out with today's witnesses as well
18 and tomorrow's for that matter. And what we are going
19 to do is, the Defense will have a standing objection to
20 these three categories of testimony. If you want to
21 stand up and say, we think this is that category, go

1 ahead and do that.

2 We are going to take the testimony, this is
3 a Judge alone trial, I can disregard testimony I find
4 to be inadmissible when I rule on the motion. And
5 rather than disrupt the trial schedule the parties have
6 agreed to proceed with that in mind. Is that correct?

7 MR. FEIN: Yes, Ma'am.

8 MR. COOMBS: Yes, Your Honor.

9 THE COURT: Would either side desire to add
10 anything to what we discussed in the 802 conference?

11 MR. FEIN: No, ma'am.

12 MR. COOMBS: No, Your Honor.

13 THE COURT: Okay. So the Court anticipates
14 ruling on this motion, as well as the Defense motions
15 for, to merge specifications for unreasonable
16 multiplication of charges for findings and sentence
17 early next week, as well as issue special findings.

18 Is there anything else we need to address
19 before we proceed?

20 MR. FEIN: No, Ma'am.

21 MR. COOMBS: No, Your Honor.

1 THE COURT: Please call your first witness.

2 MR. SNUTE: The United States calls Ms.

3 Elizabeth Dibble.

4 Whereupon,

5 ELIZABETH DIBBLE,

6 called as a witness, having been first duly sworn to

7 tell the truth, the whole truth, and nothing but the

8 truth, was examined and testified as follows:

9 DIRECT EXAMINATION BY CAPTAIN OVERGAARD:

10 Q. And you are Ms. Elizabeth Dibble from the
11 Department of State in Washington, D.C.?

12 A. Yes, I am.

13 Q. What is your current position at the
14 Department of State.

15 A. I recently concluded an assignment as
16 Principal Deputy Assistant Secretary in the Bureau of
17 Near Eastern Affairs. And I am transitioning, next
18 week I will arrive in London where I will be the Deputy
19 Chief of Mission at the Embassy there.

20 Q. And you are here today to discuss your
21 opinions based on your expertise in diplomatic

1 priorities and operations in Near Eastern affairs?

2 A. Yes, I am.

3 Q. And specifically give your opinion on the
4 impact of Pfc Manning --

5 THE COURT: Just a minute. Expertise in
6 diplomatic priorities. And --

7 BY CAPTAIN OVERGAARD:

8 Q. And operations in Near Eastern affairs.

9 THE WITNESS: Yes.

10 BY MR. COOMBS:

11 Q. And specifically to give your opinion on
12 the impact of Pfc Manning's criminal conduct on the
13 Department of State, as it relates to the Near East and
14 specifically in regard to Iran, Lebanon and Libya?

15 A. Yes.

16 Q. How does Near Eastern Affairs fit into the
17 Department of State?

18 A. The Bureau of Near Eastern Affairs is one
19 of six Geographic Bureaus. It spans the countries from
20 Morocco, going eastward through Iran, so including
21 Algeria, Morocco, Tunisia, Libya, Egypt, the Gulf

1 States, Syria, Lebanon, Jordan, Israel, Palestinians,
2 Iraq and Iran.

3 Q. So basically the Middle Eastern -- North
4 Africa?

5 A. North Africa, correct.

6 Q. And what is the role of a Geographic Bureau
7 in the Department of State?

8 A. A Geographic Bureau is responsible for
9 policy development and implementation with regard to
10 U.S. policy toward that specific region of the world.

11 In Washington we are the interface with our
12 missions overseas, our embassies and consulates in all
13 of the countries I mentioned. We participate in the
14 interagency policy process. We report up through the
15 Undersecretary for Political Affairs to the Secretary
16 of State.

17 Q. And what is the mission of the Bureau of
18 Near Eastern Affairs?

19 A. The mission of the Bureau is to manage U.S.
20 bilateral or diplomatic relations with the countries of
21 the Near East.

1 Q. You mentioned that you were principal or
2 you are just transitioning out of the Principal Deputy
3 Assistant Secretary position at the Bureau of Near
4 Eastern Affairs. What does it mean to be a Principal
5 Deputy Assistant Secretary?

6 A. Each Geographic Bureau is headed by an
7 Assistant Secretary, which is a Senate confirmed
8 position. As the Principal Deputy Assistant Secretary
9 I was the Number 2 in the Bureau reporting directly to
10 the Assistant Secretary.

11 There were also seven Deputy Assistant
12 Secretaries who covered both specific regional and
13 functional issues with regard to the Near East.

14 Q. And how long were you PS for Bureau of Near
15 Eastern Affairs?

16 A. Just under two years.

17 Q. And going back to the beginning of your
18 career with the Department of State, when did you join
19 the Department of State?

20 A. September 1980.

21 Q. And in what capacity were you hired?

1 A. I'm a career Foreign Service Officer,
2 commissioned Foreign Service Officer. I was hired as
3 an entry level officer and have -- this is my career.
4 This is basically all I have ever done. I have worked
5 my way up through the ranks. And it will be 33 years
6 in September.

7 Q. What does it mean to be -- you said it's
8 like a commissioned officer. Could you give us a
9 little more detail on what it means to be a Foreign
10 Service Officer?

11 A. Foreign Service is -- the process for entry
12 into the Foreign Service is a competitive one. There
13 is a written exam and then an oral assessment. And we
14 staff all of our embassies overseas. We also work in
15 the Department of State in Washington.

16 Much like the military we rotate every
17 couple of years. Our tours are anywhere from one to
18 three years depending on the assignment. We are hired
19 as generalists with a specific functional
20 specialization. I'm actually an economic officer. We
21 have political officers, administrative officers,

1 public diplomacy officers, counsel officers and
2 economic officers.

3 Over time we generally though develop a
4 regional, an area of concentration, a regional
5 expertise based on repeat assignments in a specific
6 region.

7 Q. You said you have worked your way up
8 through your 33 years. What would your position be
9 now, as far as working your way up?

10 A. I am a Foreign Service Officer Class
11 Minister Counselor, which is the equivalent of a two
12 star in the military system.

13 Q. What was your first assignment at the
14 Department of State?

15 A. My very first assignment was in the Office
16 for Combating Terrorism. You want me to go through my
17 CV? I can do that, if you like but --

18 MAJOR HURLEY: The Defense would not object
19 to Ms. Dibble being accepted as an expert by this Court
20 with respect to her expertise in Near Eastern Affairs,
21 but we would object to diplomatic priorities unless

1 somehow that's more specified.

2 THE COURT: All right. Is there a written
3 CV that you have?

4 CAPTAIN OVERGAARD: A general written bio,
5 Ma'am. It doesn't go through all the details of what
6 the positions entailed when she was at this specific --

7 THE COURT: Do we need to hear that? The
8 defense is willing to stipulate to her expertise. With
9 the exception of the diplomatic priorities.

10 If you want to go a little further into
11 that, go ahead. I don't think we need all the
12 biographical data. If you want to put it in writing as
13 a prosecution exhibit, go ahead.

14 MAJOR HURLEY: We would have no objection
15 to that.

16 (Pause)

17 THE COURT: If the questions are
18 foundational to you in what you are trying to elicit,
19 that's fine. I just don't want to spend a great deal
20 of time going from everything --

21 CAPTAIN OVERGAARD: This is the problem.

1 Going through her career and all her experience in Near
2 Eastern Affairs is what establishes her expertise in
3 the diplomatic priorities and operation of various data
4 in Near Eastern Affairs.

5 THE COURT: Well, if she's an expert in
6 Near Eastern Affairs, she can give her opinion on --

7 CAPTAIN OVERGAARD: She should be able to
8 give her opinion on diplomatic priorities, which is
9 Defense's objection.

10 MAJOR HURLEY: If I may respond to that
11 first. We would just consider the field broad. She's
12 an expert on Near Eastern Affairs. But the topic that
13 she would be opining on is overbroad.

14 THE COURT: Then I'm going to let the
15 Government develop the foundation. Go ahead.

16 BY CAPTAIN OVERGAARD:

17 Q. Again, Ma'am, we are going to go through
18 the CV. What was your first assignment at the
19 Department of State?

20 A. I was in the Office for Combating
21 Terrorism.

1 Q. When was that?

2 A. 1980 to 1982.

3 Q. What did you do in that position?

4 A. I was what's called an International
5 Relations Officer General. And I had responsibility
6 for formulation of our CT policy, which CT was a much
7 smaller office than it is now.

8 Q. What is CT?

9 A. Oh, sorry. Counterterrorism. I speak in
10 acronym-use. Just let me know if I --

11 Q. Thank you. What was your assignment after
12 that?

13 A. I was assigned to the U.S. Embassy in
14 London where I was -- I spent a year as a Counselor
15 Officer and then I was the Staff Assistant to the
16 Ambassador. That assignment was 1982 to 1984.

17 Q. And then after that?

18 A. 1984 to 1985 I was in training in
19 Washington in economics and had a midlevel management
20 course.

21 Q. Then what was your next assignment?

1 A. 1985 to 1986, I was in the Bureau of
2 Economic Affairs in the Trade Office. And then I was
3 seconded from the State Department to the Office of the
4 U.S. Trade representative from 1986 to 1988, where I
5 was the Assistant Chief Textile Negotiator.

6 Q. And then where were you assigned in 1988?

7 A. Following six months of French training I
8 was assigned to the U.S. Embassy in Tunisia in 1989. I
9 was there until 1992. I was in the economic section
10 there.

11 Q. And what did you actually do, when you were
12 assigned there?

13 A. I was the commercial attache responsible
14 for fostering U.S. economic and commercial relations
15 with Tunisia.

16 Q. Was that under the Bureau of --

17 A. Yes, under the Bureau of Near Eastern
18 Affairs.

19 Q. What was your next position at the
20 Department of State?

21 A. I was at the U.S. Embassy in Islamabad,

1 Pakistan from 1992 to 1994. At that time Islamabad
2 fell under the Bureau of Near Eastern Affairs. We have
3 been reorganized since then. And I was also in the
4 economic section focusing on finance and development
5 issues.

6 Q. And what did you do -- what was your
7 day-to-day activity focusing on the financing
8 operation?

9 MAJOR HURLEY: Ma'am, I'm sorry to
10 interrupt. We'll just stipulate to the expertise of
11 this particular witness.

12 THE COURT: Thank you. Proceed.

13 BY CAPTAIN OVERGAARD:

14 Q. Are you familiar with the information
15 released by WikiLeaks?

16 A. Yes, I am.

17 Q. And how are you familiar with these
18 unauthorized disclosures?

19 A. I was in the -- at the time the Bureau of
20 European Affairs, when the first tranche of cables
21 were, or purported cables, were released. And then I

1 have been serving in Washington since then and was
2 aware that there were additional releases that came --
3 that started in the fall of 2010, November I believe.
4 And then I was aware of additional releases through the
5 summer of 2011.

6 CAPTAIN OVERGAARD: If the Defense has voir
7 dire, this would be the appropriate time.

8 MAJOR HURLEY: Ma'am, we don't have any.

9 THE COURT: They stipulated.

10 BY CAPTAIN OVERGAARD:

11 Q. Could you describe for the Court the
12 reaction at your office when you learned of the
13 WikiLeaks releases?

14 MAJOR HURLEY: Objection. Hearsay and
15 relevance.

16 THE COURT: Overruled. It's her reaction.
17 Go ahead.

18 BY CAPTAIN OVERGAARD:

19 Q. Without going into what anyone said at your
20 office, what was the general reaction?

21 A. Horror and disbelief that our diplomatic

1 communications had been released and were available on
2 public websites for the world to see.

3 Q. And why did you have that reaction?

4 A. Because, when -- the role of an embassy
5 overseas is to be the eyes and ears of the U.S. on the
6 ground. And to report events in a country, but not
7 just the facts, because people can, you know, if you
8 read the newspapers, you can get the facts, but the
9 back story, the context. To delve behind a policy
10 decision, for example, why a decision was made. And to
11 elicit from our contacts overseas the color of the
12 context that goes with the facts.

13 MAJOR HURLEY: I'm sorry. Ma'am, can we
14 have a brief --

15 THE COURT: Yes.

16 MAJOR HURLEY: Ten minute, Ma'am.

17 THE COURT: All right. Ms. Dibble, during
18 the ten-minute recess that I'm just about to announce,
19 please do not discuss your testimony or knowledge of
20 the case with anyone other than counsel of the accused
21 while the trial is still going on.

1 THE WITNESS: Okay.

2 THE COURT: Court is recessed for ten
3 minutes.

4 (Brief Recess)

5 THE COURT: Let the record reflect all
6 parties are present when the Court last recessed are
7 again present in Court. The witness is on the witness
8 stand. Please proceed.

9 BY CAPTAIN OVERGAARD:

10 Q. Do you have any experience preparing cables
11 in Near Eastern Affairs?

12 A. Yes, I do, for my overseas assignments.

13 Q. And do you have any experience reviewing
14 cables?

15 A. Yes, I do. As a supervisor of a section
16 and as a Deputy Chief of Mission cables prepared by
17 others would come to me for review and clearance and
18 then I would sign them out, as we say.

19 Q. And why are cables important to
20 specifically Near Eastern Affairs?

21 A. Because our embassies provide the eyes and

1 ears on the ground for the U.S. Government, they
2 provide the assessment of our embassies of the specific
3 situation on the ground of a specific issue or, you
4 know, a broad -- cables can be everything from a very
5 short, narrow subject, your reporting of a meeting or
6 reporting of an event, to a broader analysis of the
7 current situation in Country X.

8 And cables not only provide the facts, but
9 they provide the analysis, the synthesis and the
10 Embassy's judgment of what is going on in a particular
11 country.

12 Q. And who relies on the information in these
13 cables?

14 A. Cables are meant for a very broad audience,
15 not just the Department of State in Washington. The
16 Department of State or a sister embassy, for instance,
17 if Cairo sends in a cable reporting on the political
18 situation there, it's of interest to other embassies in
19 the Near East. It's of interest to our embassies in
20 Europe who are talking with our European allies on the
21 signatures in Egypt.

1 But perhaps the broadest audience is back
2 in Washington. It's the broad policy community, the
3 interagency community, various agencies of the U.S.
4 Government, the intelligence community. It's not
5 just -- the cables are not just meant for the
6 Department of State.

7 Q. Do you know what the intelligence community
8 and other organizations use the cables for?

9 A. Our cables factor into their analysis. I
10 don't want to go into anything in this session. I'm
11 happy to do that in another classified setting.

12 But, suffice it to say, the information we
13 provide is fed into a variety of products that are
14 produced around the Government.

15 CAPTAIN OVERGAARD: At this time I would
16 like to move into a closed situation.

17 THE COURT: All right. Well, we are going
18 to the Defense open cross examination first.

19 MAJOR HURLEY: Yes, Ma'am.

20 CROSS EXAMINATION BY MAJOR HURLEY:

21 Q. Good-morning, Ms. Dibble.

1 A. Good morning.

2 Q. You're a United States Government employee?

3 A. Yes, I am.

4 Q. And have been for many years?

5 A. Yes.

6 Q. 30 by my count, as I was sitting, when you
7 told Captain Overgaard your experience.

8 A. Almost 33, actually.

9 Q. And in that time you have dealt with
10 classified information?

11 A. Yes, I have.

12 Q. You drafted classified documents?

13 A. Yes, I have.

14 Q. You reviewed classified documents?

15 A. Yes, I have.

16 Q. Ever served as an original classification
17 authority?

18 A. Yes, I have.

19 Q. In the time that you have performed all of
20 those functions -- well, let me restate my question. I
21 apologize.

1 You are familiar with the executive orders
2 regarding classified information?

3 A. Yes, I am.

4 Q. Have you ever questioned those executive
5 orders to say, you know, I just don't think our
6 classification structure is right?

7 A. No, I have not.

8 Q. And so if you have never questioned it at
9 all, you certainly never publicly questioned the
10 classification structures in the executive --

11 A. No, I have not.

12 Q. In making the conclusions and judgments
13 that you made with respect to this case, and I'm not
14 going to talk about those conclusions and judgments
15 right now, did you ever evaluate the information that
16 you received and determined whether or not it was
17 properly classified?

18 A. I'm not sure I understand the question.

19 Q. So you were given data and information and
20 that data and information informed your opinion?

21 A. Correct.

1 Q. Did you ever evaluate that data and
2 information to determine if it was properly classified?

3 A. No, I did not.

4 Q. You just accepted the classification on
5 face value?

6 A. Yes, I did.

7 Q. And you accepted the information that you
8 were told at face value?

9 A. What information are you referring to
10 specifically?

11 Q. Not any specific information. I don't want
12 to drill down on the specific facts for fear of
13 discussing classified information.

14 The question is: All the facts and data
15 that you relied on, did you question, did you ever
16 question the veracity of those facts and data that you
17 received or did you just accept it at face value?

18 A. I think the way I would answer that is,
19 many cables and reports are snapshots of a situation in
20 time. And it is -- when an embassy sends in a capable,
21 it's their best judgment at that time. Do situations

1 change? Absolutely. But I cannot think of an instance
2 where I looked at a cable and thought they have got
3 this dead wrong, no.

4 Q. Ma'am, since we started talking about
5 cables, I want to talk about first the content of the
6 cables and then my next line of questioning will be how
7 those cables are distributed.

8 Okay. As you were talking with Captain
9 Overgaard, you described the general formats of
10 different types of cables. In one you just described
11 here on cross which was the snapshot in time.

12 A. Uh-huh.

13 Q. And that snapshot is a snapshot of a
14 particular meeting or a particular thing that occurred
15 in the recent past.

16 A. It can be a snapshot of a meeting, a
17 snapshot of a Government policy decision. It can be
18 many things, you know, reporting on a public affairs
19 program that an embassy did, yes.

20 BY MAJOR HURLEY:

21 Q. An each cable will have an analytic

1 component?

2 A. No, not necessarily.

3 Q. Some cables will just be a recitation of
4 the facts that the drafting officer and ultimately the
5 embassy itself believes is important for some other
6 organization?

7 A. Well, it depends on the content of the
8 cable. We have cables that go in with fiscal data for
9 a, you know, Secretary of State's travel. That would
10 not have an analytical component.

11 In general, however, a reporting cable on
12 the political situation or the economic situation in
13 Country X might very well have an analytical component
14 or what we would call a comment. Sometimes you see
15 that comment.

16 Q. And then there's -- we'll call them the
17 snapshot cable. I'm sure that's a non-doctoral term.
18 There's a snapshot cable and then there are other
19 cables like scene setter cables?

20 A. Yes.

21 Q. Could you describe briefly what a scene

1 setter cable consists of?

2 A. A scene setter cable is often done when
3 there is a high-level U.S. Government visitor coming to
4 a country, a presidential visit, Secretary of State is
5 coming to visit. And it is a piece that sets out the
6 lay of the land, the environment, the current situation
7 so that the high-level visitor and his or her party
8 basically know what they can expect to find on the
9 ground.

10 Is the Government about to reshuffle
11 itself? Are elections being called. That type of
12 thing. And it often contains an analytical, you know,
13 the embassy's judgment and analytical component to it.

14 Q. Now with respect to those sorts of cables,
15 whether it's a snapshot type cable of scene setter type
16 cable or any, to use your expression, reporting cable,
17 they are distributed according to the drafter of the
18 cable, correct?

19 A. Yeah, the originator of the cable; yes.

20 Q. And one such distribution could be SIPDIS.

21 A. Yes.

1 Q. And SIPDIS is SIPRnet distribution?

2 A. Correct.

3 Q. So that when the NCD, the Net Centric
4 Diplomacy database was up, if it was marked for SIPDIS,
5 then it would be placed in the Net Centric Diplomacy
6 database?

7 A. Correct. That's my understanding. I have
8 to say, I'm not a techno expert on those things.

9 Q. But that's your understanding?

10 A. Yes.

11 Q. And there are other forms of distribution?

12 A. There are captions and other things, yes,
13 that can go in a cable.

14 Q. I know there are a lot of captions. I
15 guess what I want to talk about right now, Ma'am, are
16 the other ways that a cable can be distributed.
17 Another way is STA distribution. Is it STADIS or --

18 A. STADIS.

19 Q. And that distribution is just distribution
20 internal to the Department of Defense?

21 A. Department of State.

1 Q. I'm sorry. Department of State.

2 A. Yes. We have things like personnel
3 channels, medical channels, you know, where because of
4 the content of the cable the distribution is limited.

5 Q. And there are other even beyond STADIS,
6 there are other more restrictive distributions
7 possible?

8 A. Yes.

9 Q. And exactly that would NODIS?

10 A. NODIS, LIMDIS.

11 Q. EXDIS. And then --

12 THE COURT: What are each of those?

13 BY MAJOR HURLEY:

14 Q. Ma'am what is NODIS?

15 A. It stands for no distribution.

16 Q. And EXDIS?

17 A. Executive distribution. Again, I think I
18 would have to defer to our IT and IRM experts on this.

19 Q. Ma'am, this is just to the best of your
20 knowledge.

21 A. Yes.

1 Q. Thank you. Ma'am, sometimes my questions
2 will sound like questions and sometimes they will sound
3 like statements, but whether they sound like a question
4 or a statement, you still have to respond verbally to
5 what I say. It's for the record.

6 A. Sure.

7 Q. Thank you. Now your opinion, Ma'am, it's
8 going to be limited to the impact to the United States
9 Government?

10 A. Correct.

11 Q. Not impact to any foreign governments.

12 A. Well, the impact on the United States
13 Government, a foreign reaction --

14 Q. Is an impact --

15 A. Is an impact on the U.S. Government.

16 Q. Ma'am, is it fair to say that the United
17 States Government spends a lot on foreign policy --
18 spends a lot of money?

19 A. Yes, I suppose that's fair. Although the
20 State Department budget is dwarfed by the Department of
21 Defense budget. So I guess a lot is a relative term.

1 Q. Relative term for the United States
2 Government.

3 A. Actually I can't say. Compared to domestic
4 programs. That's a tough question. You know, we
5 certainly feel, from the foreign policy side, State
6 Department side, we certainly would like our budget to
7 be bigger.

8 Q. Yes, Ma'am. Compared to other governments.
9 Let's go with other industrialized governments, we
10 spend more on foreign policy than those other
11 industrialized governments, right?

12 A. Actually I can't say that we do with any
13 certainty. We are, as the world's remaining
14 superpower, we are bigger than others, we tend to have
15 embassies and consulates in more locations than some of
16 our allies.

17 But I honestly cannot say how much Great
18 Britain or France or Germany spend on their diplomatic
19 foreign policy spending.

20 Q. But I guess, just to reinforce the answer
21 that you just gave, we are, compared to those other

1 pier like countries, we are most places with the United
2 States Government personnel?

3 A. Yes. I think that's a fair statement.

4 Q. Now wherever we are, there are people that
5 will deal with United States Government personnel out
6 of fear, right?

7 A. I'm not sure I agree with that assessment,
8 no.

9 Q. Some people, wherever we are in the world,
10 will deal with us because they respect us?

11 A. That's a fair statement.

12 Q. And some, if not most, will deal with
13 United States Government personnel because they need
14 to?

15 A. Countries conduct their foreign policy
16 based on national interest, just as we do. It's hard
17 to generalize what's a need, I can't speak for another
18 country. But diplomatic relations are, in general, and
19 have been since the founding of our country, are the
20 way that we deal -- one country deals with another.

21 Q. And that interaction is done ultimately in

1 the national interest of that country and the national
2 interest of the United States?

3 A. Well, speaking from the United State's
4 perspective, we conduct our relations in ways that we
5 believe enhance and foster our national interest, yes.

6 Q. And generally, Ma'am, your education and
7 experience, is it your opinion that American diplomats
8 are professional, a professional class of people?

9 A. Absolutely.

10 Q. But their dedication is to advance the
11 national interest of the United States?

12 A. Yes.

13 Q. The foreign diplomats with which you
14 worked, by and large they are also professionals?

15 A. By and large, yes, they are.

16 Q. And they are dedicated to advancing their
17 own or their national interests?

18 A. The national interests of the country they
19 report, yes.

20 Q. And when you're acting in this professional
21 capacity, when you're advancing the national interest,

1 sometimes it's appropriate to set personal opinion
2 aside?

3 A. Yes; absolutely.

4 Q. And sometimes it's appropriate to set
5 emotional reaction aside?

6 A. Absolutely.

7 Q. Because you still have a job to do?

8 A. I represent the -- my job is to represent
9 the foreign policy of the United States. Whether or
10 not I agree with each component of that policy
11 100 percent, that's my job.

12 Q. Sometimes you have to -- not only is it
13 agreement or disagreement with policy, it's personal
14 opinion about an individual. You have to deal with the
15 person and you have to put aside your personal feelings
16 in order to advance America's national interest?

17 A. Yes. If you are asking if I have had to
18 deal with people I don't like personally in the course
19 of my career, yes, that's true.

20 Q. And it's safe to assume that diplomats from
21 other governments have been placed in that same

1 position?

2 A. I would imagine so, yes.

3 Q. Ma'am, are you familiar with who Secretary
4 Robert Gates is?

5 A. Yes, I am.

6 Q. Secretary Gates made a few statements with
7 respect to these disclosures. And I just want to get
8 your take on those. First --

9 CAPTAIN OVERGAARD: Objection. Hearsay.

10 MAJOR HURLEY: Ma'am, it's her expert
11 opinion. These are public statements made by Secretary
12 Gates.

13 THE COURT: Are they hearsay or are you
14 using them for a non-hearsay purpose?

15 MAJOR HURLEY: I'm using them for a
16 non-hearsay purpose because they are not offered for
17 the truth of the matter asserted.

18 THE COURT: Overruled.

19 BY MAJOR HURLEY:

20 Q. Ma'am, Secretary Gates said with respect to
21 United States Government leaks that it's well-known

1 that the United States Government leaks like a sieve.
2 How would you react to that?

3 A. I would say that makes a good soundbite,
4 but I don't agree with it.

5 Q. He said with respect to the disclosures in
6 this particular case, the WikiLeaks disclosures, that
7 statements like game-changer were fairly overwrought.

8 A. I don't necessarily agree with that
9 statement, no.

10 Q. He would also characterize the disclosures
11 as disclosing -- let me reask that question.

12 He also indicated that nations don't deal
13 with us because we could keep their secrets. They deal
14 with us because it's in their national interest?

15 A. I would agree that nations deal with us
16 because it's in their national interest. I guess I'm
17 not quite -- maybe I don't have the whole context. I
18 don't see the connection between nations dealing with
19 us because we keep their secrets. I would agree with
20 the latter part of that, that they deal with us because
21 it's in their national interest.

1 MAJOR HURLEY: Ma'am, one second.

2 (Pause)

3 Ma'am, that is all the questions we have.

4 THE COURT: All right. Redirect?

5 CAPTAIN OVERGAARD: One moment, please,

6 Ma'am.

7 (Pause)

8 REDIRECT EXAMINATION BY CAPTAIN OVERGAARD:

9 Q. Ms. Dibble, in your experience what are
10 some of the foundations of diplomacy?

11 A. I would say the overarching role of
12 diplomacy is to, as I mentioned earlier, further the
13 U.S. national interest. In order to do that diplomats
14 have to establish credibility. They have to establish
15 trust with our foreign interlocutors.

16 Q. How is that credibility and trust
17 established?

18 A. It's a process that takes time. We develop
19 contacts with individuals in a particular country. In
20 some cases we inherit those contacts from our
21 predecessors. When you arrive at an embassy, you are

1 sort of given a handoff of these are the people that I
2 dealt with, but you also develop your own network of
3 contacts.

4 And it's a process that happens over time,
5 you get to know people. They talk to you. You talk to
6 them. And depending on the situation, you know, you
7 basically have to establish credibility in your bona
8 fides. And the idea is to get your contacts to give
9 you the back story, give you insights into what is
10 happening in that country.

11 If they are in the Government of that
12 country, you know, sort of how policy is being
13 formulated within the Government. If they are a member
14 of the business community, what their take is on, say,
15 the economic situation in the future. It's very
16 situational in terms of the type of context, but at the
17 basis of it all is establishing credibility and
18 establishing trust.

19 Q. Is there an expectation in those
20 conversations, is there any expectations going into
21 those conversations when you're sharing this back story

1 information?

2 A. Again, it is situational but, you know, if
3 I am talking to a senior government official, I have to
4 assume that they are trying to influence my position,
5 just I am trying to influence their position.

6 If it is a conversation that is in which
7 the government official is expressing concern about his
8 or her own Government's policy, there is an expectation
9 of a certain amount of confidentiality so that the
10 person will be burned.

11 Q. Thank you.

12 THE COURT: All right. At this time is it
13 appropriate to move into another session?

14 CAPTAIN OVERGAARD: Yes, ma'am.

15 THE COURT: Is there anything we need to
16 address before we do that?

17 MAJOR HURLEY: No, ma'am.

18 MR. FEIN: No, Ma'am. And this is from
19 part finding for Appellate Exhibit 550.

20 THE COURT: Yes. Let me ask a question
21 here, though. The parties had asked for a long recess

1 after this witness testifies, for the Defense too I
2 suspect with the next witness coming up.

3 Do the parties see a need for another open
4 session after the closed session with this witness or
5 should we just plan to add that time in and come back?

6 MAJOR HURLEY: From the Defense, Ma'am, the
7 latter at the time.

8 CAPTAIN OVERGAARD: There is no need to
9 come back on the record, Ma'am.

10 THE COURT: All right. Well, to advise the
11 public then, what time do you think we would be
12 expected to come back on the record having gone through
13 the closed session, as well as the time that you need
14 to do -- to prepare.

15 MR. FEIN: Can the parties have a moment,
16 ma'am?

17 THE COURT: Yes.

18 MAJOR HURLEY: Ma'am, 1430.

19 THE COURT: All right. Is that acceptable
20 to the Government?

21 MR. FEIN: Yes, ma'am.

1 All right. Members of the gallery, the
2 open session of the Court is going to be in recess.
3 We'll reconvene then at 1430 for the open session for
4 the next witness. Court is in recess.

5 (The Court recessed at 10:57 a.m.)
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